

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

RAUL PAYAN,

Plaintiff,

No. CIV S-03-2556 GEB JFM P

vs.

THERESA SCHWARTZ, et al.,

Defendants.

ORDER

Plaintiff is a state prisoner proceeding pro se with a civil rights action pursuant to 42 U.S.C. § 1983. On June 9, 2005, plaintiff filed a document styled "Plaintiff's Request to Bypass Administrative Remedies Based on Mental Illness and Illiteracy." The court has already denied defendants' motion to dismiss this action based on an alleged failure to exhaust administrative remedies. (See Order filed May 6, 2005, adopting Findings and Recommendations filed April 4, 2005.) Plaintiff's request is moot and will therefore be denied.

In accordance with the above, IT IS HEREBY ORDERED that plaintiff's June 9, 2005 request is denied.

DATED: June 16, 2005.


UNITED STATES MAGISTRATE JUDGE